

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION

THOMAS REGGIE YOUNG, JR.,

Plaintiff,

vs.

MS. SIMPSON, Probation Officer,

Defendant.

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Civil Action File No.
7:06-CV-71 (HL)

RECOMMENDATION

Presently pending in this *pro se* §1983 action is plaintiff's motion for default judgment (doc. 13).

The undersigned entered an order dated August 14, 2006, providing that service be made upon one defendant, Ms. Simpson, pursuant to Rule 4(d) of the Federal Rules of Civil Procedure. The waiver of service was not filed until October 3, 2006. Ms. Simpson filed an answer on November 20, 2006, and thus is not in default. Accordingly, it is the RECOMMENDATION of the undersigned that plaintiff's motion for default judgment be **DENIED**. Pursuant to 28 U.S.C. § 636(b)(1), the parties may file written objection to this recommendation with the United States District Judge to whom this case is assigned, WITHIN TEN (10) DAYS of receipt thereof.

SO RECOMMENDED, this 12th day of July, 2007.

//S Richard L. Hodge

RICHARD L. HODGE

UNITED STATES MAGISTRATE JUDGE

msd